THE HON'BLE MR JUSTICE V.V.S.RAO

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WRIT PETITION No.19991 of 2005

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23.9.2005

Between:

1. Smt.Adapa Renuka Devi, W/o.Venkata Narasimha Rao,

Hanumakonda, Warangal District.

And others.

… Petitioners

AND

The Municipal Corporation of Kakinada, rep. By its

Commissioner.

… Respondent.

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ORDER:

The petitioners claim to be the owners of the property bearing H.No.52-10-33, Jagannayakapuram, Karapa Road, Kakinada, which they allegedly inherited under registered Will dated 17.1.1986. The petitioners allege that the officials of the respondent Corporation are attempting to trespass into the land, compelling the petitioners to issue a legal notice on 04.8.2005, in vain. Therefore, they filed the instant writ petition praying this Court to issue a writ of Mandamus declaring the action of the respondent in trying to deprive the petitioners of their property as illegal and void.

At the stage of admission itself, after getting instructions from the Corporation, the learned Standing Counsel submits that the writ petition is filed on mere apprehensions and that the officials of the respondent Corporation never made attempts to encroach upon petitioners' land. He further submits that in the land adjacent to petitioners' property, the Corporation is developing a park. The same is recorded.

The writ petition is filed without any factual foundation and is, accordingly, dismissed. No costs.

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September 23, 2005 (**V.V.S.RAO,J**)

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